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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

16 FORD MOTOR CREDIT COMPANY,) No. C 07-03301 RS
17 LLC, a Delaware Limited Liability)
Company,)

18 Plaintiff,

10 VS.

20 LEWIS FAMILY ENTERPRISES, INC.,
21 dba BOB LEWIS LINCOLN
22 MERCURY, a California corporation,
and STEVEN ROBERT LEWIS, an
individual,

23 Defendants

**DECLARATION OF DONALD H.
CRAM, III RE: NOTICE OF
FORD CREDIT'S *EX PARTE*
APPLICATION FOR WRIT OF
POSSESSION AND FOR
TEMPORARY RESTRAINING
ORDER**

1 I, DONALD H. CRAM, III, declare and state:

2 1. I am an attorney who is licensed to practice in the State of California
 3 and before this Court. I am one of the attorneys of record for the plaintiff in this
 4 action, Ford Motor Credit Company, LLC. I make this declaration on my own
 5 personal and first-hand knowledge. If I were sworn as a witness before this Court I
 6 could testify competently and completely to the following facts.

7 2. On June 26, 2007, at approximately 10:30 a.m. I telephoned Steven
 8 Robert Lewis at (408) 497-0668. Mr. Lewis is the President of the defendant,
 9 Lewis Family Enterprises, Inc., dba Bob Lewis Lincoln Mercury (“Bob Lewis
 10 Lincoln Mercury”).

11 3. I informed Mr. Lewis that Ford Motor Credit Company is submitting
 12 an Ex Parte Application to seek a Writ of Possession and to seek a temporary
 13 restraining order. I advised Mr. Lewis that if Bob Lewis Lincoln Mercury intends
 14 to oppose the application that it should file opposition promptly with the Court. I
 15 also advised Mr. Lewis that if the Court elects to set a specific time and location for
 16 a hearing on the application, I will give Bob Lewis Lincoln Mercury additional
 17 notice of the time and location of the hearing.

18 4. I electronically transmitted copies of the application and all supporting
 19 documents and the proposed orders to Mr. Lewis this morning at
 20 stevelewis@boblewis.com. A true and correct copy of my email correspondence to
 21 Mr. Lewis is attached hereto as “Exhibit A.” A second copy will be sent to Mr.
 22 Lewis for overnight delivery on June 26, 2007. A copy of the Complaint was
 23 served on Bob Lewis Lincoln Mercury on June 25, 2007. The Ex Parte Application
 24 and all supporting documents will be served by hand on Bob Lewis Lincoln
 25 Mercury this afternoon once the pleadings are filed with the Court. A proof of
 26 service will be filed subsequently.

1 I declare under penalty of perjury under the laws of the United States and the
2 State of California that the foregoing is true and correct this 26th day of June 2007.
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4 /s/ Donald H. Cram, III
5 Donald H. Cram, III

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2 **ATTESTATION**

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4 I hereby attest that I have on file all holograph signatures for any signatures
5 indicated by a "conformed" signature (/S/) within this efiled document.

6 DATED: June 26, 2007

7 **SEVERSON & WERSON**
8 A Professional Corporation

9
10 By: /s/ Donald H. Cram, III
11 Donald H. Cram, III

12 Attorneys for Plaintiff
13 FORD MOTOR CREDIT COMPANY,
14 LLC

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